



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,887	11/15/2000	Barry Jay Weber	RCA90,206	5241
24498 7590 12/19/2006 THOMSON LICENSING INC. PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			EXAMINER LAZARO, DAVID R	
			ART UNIT 2155	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/19/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	09/712,887		WEBER ET AL.	
	Examiner		Art Unit	
	David Lazaro		2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-16 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-16 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the RCE filed 09/09/2006.
2. Claims 13-15 were amended.
3. Claims 1 and 17-21 are canceled.
4. Claims 22-25 are newly added.
5. Claims 2-16 and 22-25 are pending in this office action.

Response to Amendment

6. Applicant's arguments with respect to claim 2-16 and 22-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

7. Claims 13 and 25 are objected to because of the following informalities:
8. Both claims 13 and 25 contain the language "from a broadcast source from a multiple broadcast sources to concurrently provide broadcast multimedia program content to the system". This is grammatically unclear. The examiners suggest language such as "from a broadcast source from multiple broadcast sources concurrently providing broadcast multimedia program content to the system". Appropriate correction is required.

Art Unit: 2155

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claim 2-16 and 22-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

11. Both independent claims 13 and 25 contain the new limitation "*wherein said broadcaster transmits data corresponding to a broadcast in said first encoding format and the same broadcast in a second encoding format*".

Applicant relies on page 11, lines 16-22, of the specification as being a supporting disclosure. The examiner respectfully disagrees. From this passage, Applicant particularly relies on the wording "selecting valid encoded (such as by MP3 or the like) frames from the data and placing the valid frames in a memory queue that is then routed to the multiplexer 40". At best, this passage supports that the particular format for the source broadcast data is not of importance as it may be one of a number of formats. This passage does not support sending the broadcast data in one format and also sending the broadcast data in another format. The wording does not state that there are 2 encoded frames of the same data. Further, note the language states "such as by MP3 or the like" (emphasis added) and does not state "and the like". While the format is not limited to a

Art Unit: 2155

specific type of format, the use of "or" indicates that the incoming encoded frames only have a single format.

12. Further evidence that the claims fail to comply with the written description requirement comes from applicant's interpretation of the limitations. Particularly, in the remarks on page 7, applicant states "The importance to such an option is that the broadcast makes two encoding formats available". The specification does not state anything about making two encoding formats available for the same data. On page 8 of the remarks, applicant states

"the system of claim 13 has to consider the encoding format of a broadcast when multiple formats for that broadcast exist. For example, when a broadcaster transmits data representing a broadcast in a first encoding format (such as MP3) and a second encoding format, the system has to resolve which format to select".

Nowhere in the specification is there any description of the consideration of an encoding format by the invention or a description of two or more encoding formats for a given broadcast being transmitted to the system and the system resolving which format to select. Note that page 11 of the specification is directed towards the consideration of whether the encoded frames is valid, not towards a consideration of what encoding format is used. Specifically, on page 11, it states, "selecting valid encoded (such as MP3 or the like) frames" (emphasis added) and "the encoded frames are analyzed for integrity". This is not a consideration of a type of format or a resolving between formats.

Art Unit: 2155

13. For these reasons, Claim 2-16 and 22-25 fail to comply with the written description requirement.

Claim Rejections - 35 USC § 112

14. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15. Claims 13, 14, 22-24 and 25 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

16. Claims 13 and 25 both recite the limitation "said broadcaster" (Claim 13, lines 8-9; Claim 25 line 7). There is insufficient antecedent basis for this limitation in the claim. Note the language "broadcast source" as opposed to "broadcaster". Also note that more than one broadcast source is stated in the language, as such "said broadcast source" alone would not be sufficient to overcome this rejection.

17. Claim 14 recites the limitation "based on at least one of (a) a broadcaster ID" (emphasis added). As there is only one alternative/option listed, it is not clear as to what the scope is intended.

18. Claims 22-24 each recite the limitation "The apparatus of Claim 13". There is insufficient antecedent basis for this limitation in the claim. Claim 13 is a system.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 2, 3, 7, 8, 12, 13, 16, 22-24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,778,187 by Monteiro et al. (Monteiro) in view of U.S. Patent 6,498,897 by Nelson et al. (Nelson).

21. With respect to Claim 13, Monteiro teaches a system for processing broadcast multimedia program content and advertisements to provide a composite program datastream having multimedia data content and user targeted advertisements to multiple different users (Col. 1 lines 5-15), comprising:

a processor operable to select data in a first encoded format from a broadcast source (Col. 4 lines 8-17: incoming data from the sources can be a variety of multimedia data including audio and video. It is inherent that audio and video data would be in an encoded format, otherwise the system would not be able to recognize and interpret the data as being audio or video data.) from a multiple broadcast sources to concurrently provide broadcast multimedia program content to the system (Col. 4 lines 18-32 and Fig. 1: sources provide information in a variety of ways; satellite, over the air, cable, hard disk.);

Art Unit: 2155

a scheduler operable to schedule time of insertion of a designated advertisement into selected broadcast multimedia program content (Col. 16 lines 29-40); and

a multiplexer operable to provide multiple users with individualized composite program datastreams (Col. 2 lines 17-26 and Col. 4 lines 1-7) by performing in parallel for multiple users:

insertion of a designated advertisement into a selected multimedia program content at a scheduled insertion time to form a composite program datastream (Col. 7 lines 60-65, *Interpreted to mean insertion may occur at the Media Server*); and

coupling of said composite program datastream to a corresponding user of the multiple users (Col. 5 line 65 – Col. 6 line 5: multicast implementations).

The teachings of Monterio further imply that the system can support any format of audio, video, graphics, or other kinds of information that the broadcaster sources provide (Col. 4 lines 8-17).

While Monterio implies that any format can be supported, Monterio does not explicitly disclose wherein said broadcaster transmits data corresponding to a broadcast in said first encoding format and the same broadcast in a second encoding format. Nelson teaches a system for providing multimedia data including audio and/or video data (Col. 2 lines 1-19, Col. 1 lines 60-64 and Col. 4 lines 1-26). In the system, the same multimedia data can be provided in multiple formats (Col. 10 line 27 - Col. 11 line 39: multi-format asset represents multiple assets each representing a particular media content in a different format).

Art Unit: 2155

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monterio and modify it as indicated by Nelson such that it further comprises wherein said broadcaster transmits data corresponding to a broadcast in said first encoding format and the same broadcast in a second encoding format. One would be motivated to have this, as it is desirable to have multiple formats of the same data in order to support and enhance the playback of the data by the end user (In Nelson: Col. 11 lines 4-40).

22. With respect to Claim 16, Monteiro further teaches said multiplexer repeats said composite program datastream by mapping stored data comprising said composite program datastream to provide multiple stored copies of said composite program datastream for coupling to multiple users to enable scaleable expansion of broadcast of said composite program datastream (Col. 5 line 65 – Col. 6 line 5 and Col. 3 lines 55-59 of Monteiro).

23. With respect to Claim 22, Monteiro further teaches wherein said first encoding and said second encoding format are streamed audio formats (In Monterio: Col. 4 lines 8-32 - audio stream)(In Nelson: Col. 4 lines 1-26: MPEG formats, H.263, other formats).

24. With respect to Claim 23, Monteiro further teaches wherein said first encoding and said second encoding format are video formats (In Monterio: Col. 4 lines 8-32 - video)(In Nelson: Col. 4 lines 1-26: MPEG formats, H.263, other formats).

Art Unit: 2155

25. With respect to Claim 24, Monteiro further teaches wherein said claimed data is transmitted as frames of data (In Monterio: Col. 4 lines 8-23 - audio or video data would have frame data)(In Nelson: Col. 4 lines 1-26: MPEG formats, H.263, other formats; each would have frame data).

26. With respect to Claim 2, Monteiro further teaches said broadcast multimedia program content comprises at least one of (a) streamed audio data, (b) streamed video data, (c) voice representative data, (d) voicemail data, and (e) a radio or video broadcast (Col. 4 lines 18-32 of Monteiro).

27. With respect to Claim 3, Monteiro further teaches said scheduler receives and pre-caches advertisements from multiple sources to provide candidate advertisements for selection of said designated advertisement for insertion in said selected multimedia program content at said scheduled insertion time (Col. 4 lines 43-54 and Col. 1 lines 11-15 of Monteiro).

28. With respect to Claim 7, Monteiro further teaches said multiplexer repeats said composite program datastream by mapping stored data comprising said composite program datastream to provide multiple stored copies of said composite program datastream for coupling to multiple users to enable scaleable expansion of broadcast of said composite program datastream (Col. 5 line 65 – Col. 6 line 5 and Col. 3 lines 55-59 of Monteiro).

29. With respect to Claim 8, Monteiro further teaches said multiplexer tracks a user connection (Col. 8 lines 4-11 and Fig. 5 of Monteiro) and maintains a database of user connection related statistics (Col. 3 lines 39-54 of Monteiro) comprising at least one of (a) user favorite program sources (Col. 3 lines 50-54 of

Art Unit: 2155

Monteiro), (b) number of advertisements broadcast (See Claim 5 and 6 of Monteiro), (c) number of users receiving said composite program datastream (Col. 3 lines 42-44 of Monteiro), and (d) length of user connection to a particular composite program datastream (Col. 3 lines 50-54 of Monteiro).

30. With respect to Claim 12, Monteiro further teaches a user profile database operable to allocate one of a plurality of available different advertisements for delivery to an individual user based on previously compiled user preference data in said user profile database (Col. 16 lines 34-41 of Monteiro); and a data acquisition processor operable to compile user preference information used in said user profile database based on prior user program selection history (Col. 16 lines 34-41 of Monteiro).

31. With respect to Claim 25, Monteiro teaches a method for processing broadcast multimedia program content and advertisements to provide a composite program datastream having multimedia data content and user targeted advertisements to multiple different users (Col. 1 lines 5-15), comprising:

selecting data in a first encoded format from a broadcast source (Col. 4 lines 8-17: incoming data from the sources can be a variety of multimedia data including audio and video. It is inherent that audio and video data would be in an encoded format, otherwise the system would not be able to recognize and interpret the data as being audio or video data.) from a multiple broadcast sources to concurrently provide broadcast multimedia program content to the

Art Unit: 2155

system (Col. 4 lines 18-32 and Fig. 1: sources provide information in a variety of ways; satellite, over the air, cable, hard disk.);

scheduling a time of insertion of a designated advertisement into selected broadcast multimedia program content (Col. 16 lines 29-40);

transmitting in parallel to multiple users an individualized composite program corresponding to each user (Col. 2 lines 17-26: multiple simultaneous streams, tailored to individual) (Col. 5 line 65 – Col. 6 line 5: multicast implementations) by inserting said designated advertisement into a selected multimedia program content at a scheduled insertion time to form said composite program datastream corresponding to said each user (Col. 7 lines 60-65, *Interpreted to mean insertion may occur at the Media Server*).

The teachings of Monterio further imply that the system can support any format of audio, video, graphics, or other kinds of information that the broadcaster sources provide (Col. 4 lines 8-17).

While Monterio implies that any format can be supported, Monterio does not explicitly disclose wherein said broadcaster transmits data corresponding to a broadcast in said first encoding format and the same broadcast in a second encoding format. Nelson teaches a method for providing multimedia data including audio and/or video data (Col. 2 lines 1-19, Col. 1 lines 60-64 and Col. 4 lines 1-26). In the method, the same multimedia data can be provided in multiple formats (Col. 10 line 27 - Col. 11 line 39: multi-format asset represents multiple assets each representing a particular media content in a different format).

Art Unit: 2155

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Monterio and modify it as indicated by Nelson such that it further comprises wherein said broadcaster transmits data corresponding to a broadcast in said first encoding format and the same broadcast in a second encoding format. One would be motivated to have this, as it is desirable to have multiple formats of the same data in order to support and enhance the playback of the data by the end user (In Nelson: Col. 11 lines 4-40).

32. Claims 4-6 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monteiro in view of Nelson as applied to claim 13 above, and further in view of U.S. Patent Application Publication 2001/0023436 by Srinivasan (Srinivasan).

33. With respect to Claim 4, Monteiro in view of Nelson teaches all the limitations of Claim 13 but does not explicitly disclose scheduling information provided by either a broadcast source or a source of the designated advertisement.

Srinivasan teaches in a similar system that the scheduling information for insertion of a designated advertisement can be provided either by the broadcast source of a selected broadcast program, the advertisement source, or by any other prior arrangement (Page 17 [0198]).

Art Unit: 2155

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Srinivasan such that said scheduler schedules insertion of said designated advertisement into said multimedia program content based on at least one of (a) scheduling information provided by a broadcast source of said selected broadcast multimedia program, and (b) scheduling information provided by a source of said designated advertisement. One would be motivated to have this since it is a common way for content providers to sell advertising slots (Page 17 [0198] of Srinivasan).

34. With respect to Claim 5, Monteiro in view of Nelson does not explicitly disclose said scheduling information contains advertisement scheduling information covering multiple broadcast multimedia programs. Srinivasan teaches said scheduling information contains advertisement scheduling information covering multiple broadcast multimedia programs (Page 17 [0198] of Srinivasan).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Srinivasan such that said scheduling information contains advertisement scheduling information covering multiple broadcast multimedia programs. One would be motivated to have this since it is a common way for content providers to sell advertising slots (Page 17 [0198] of Srinivasan).

35. With respect to Claim 6, Monteiro in view of Nelson does not explicitly disclose said scheduling information provided by a broadcast source comprises

Art Unit: 2155

at least one of (a) information indicating time slots available for advertisement insertion in said broadcast multimedia program, (b) markers in said selected broadcast multimedia program indicating an advertisement insertion time slot, and (c) information for identifying advertisement insertion time slots from time stamp indications.

Srinivasan teaches said scheduling information provided by a broadcast source comprises at least one of (a) information indicating time slots available for advertisement insertion in said broadcast multimedia program (Page 17 [0198] of Srinivasan), (b) markers in said selected broadcast multimedia program indicating an advertisement insertion time slot (Page 10 [0112] of Srinivasan), and (c) information for identifying advertisement insertion time slots from time stamp indications (Page 20 [0228] of Srinivasan).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Srinivasan such that said scheduling information provided by a broadcast source comprises at least one of (a) information indicating time slots available for advertisement insertion in said broadcast multimedia program, (b) markers in said selected broadcast multimedia program indicating an advertisement insertion time slot, and (c) information for identifying advertisement insertion time slots from time stamp indications. One would be motivated to have this since it is a common way for content providers to sell advertising slots (Page 17 [0198] of Srinivasan).

Art Unit: 2155

36. With respect to Claim 9, Monteiro in view of Nelson teaches all the limitations of Claim 13 but does not explicitly disclose dynamically reallocating advertisements targeted to a user during broadcast in response to a command by selecting an advertisement from a plurality of available advertisements of a suitable duration.

Srinivasan teaches dynamically reallocating advertisements targeted to a user during broadcast in response to a command by selecting an advertisement from a plurality of available advertisements of a suitable duration (Page 18 [0204] and Page 19 [0215]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Srinivasan such that said multiplexer dynamically reallocates advertisements targeted to a user during broadcast of said composite program datastream in response to a command by selecting an advertisement from a plurality of available advertisements of duration suitable for a time slot at said scheduled insertion time. One would be motivated to have this as this allows for better targeting of advertisements based on the latest user statistics (Page 19 [0215]).

37. With respect to Claim 10, Monteiro in view of Nelson does not explicitly disclose a locally sourced advertisement is selected for said time slot in preference to a non-locally sourced advertisement. Srinivasan teaches a locally sourced advertisement is selected for said time slot in preference to a non-locally sourced advertisement (Page 16-17 [0192] of Srinivasan).

Art Unit: 2155

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Srinivasan such that a locally sourced advertisement is selected for said time slot in preference to a non-locally sourced advertisement. One would be motivated to have this as this allows for better targeting of advertisements (Page 19 [0215]).

38. With respect to Claim 11, Monteiro in view of Nelson further teaches an error processor operable to parse said composite program datastream to detect error, and including an error concealment function operable to reduce the consequences of a detected error (Col. 7 lines 12-31 of Monteiro).

39. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monteiro in view of Nelson as applied to claim 13 above, and further in view of U.S. Patent 5,734,589 by Kostreski et al. (Kostreski).

40. With respect to Claim 14, Monteiro in view of Nelson does not explicitly disclose additionally comprising a conditional access processor to determine the authorization of multiple broadcast sources and, said conditional access processor determines authorization of a broadcast source to provide broadcast multimedia program content based on at least one of (a) a broadcaster ID.

Kostreski teaches a broadcast multimedia distribution system (Col. 1 lines 6-12 and Col. 3 line 66 - Col. 4 line 11) that includes a condition access processor the determines authorization of broadcast sources (VIP - video

Art Unit: 2155

information provider). The authorization of a broadcast source to provide broadcast multimedia program content is based on at least one of (a) a broadcaster ID (In Kostreski: Col. 26 lines 39-46). This allows the system to determine what sources are authorized to receive the advantages provided by the system (Col. 26 lines 39-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Kostreski such that it further comprises a conditional access processor to determine the authorization of multiple broadcast sources and, said conditional access processor determines authorization of a broadcast source to provide broadcast multimedia program content based on at least one of (a) a broadcaster ID. One would be motivated to have this, as there is need for providing the advantages of the system to authorized broadcast sources for the benefit of those using the system (In Kostreski: Col. 26 lines 39-46 and Col. 3 lines 54-58).

41. With respect to Claim 15, Monteiro in view of Nelson does not explicitly disclose additionally comprising a conditional access processor to determine the authorization of multiple broadcast sources and, said conditional access processor includes a decryption function to decrypt at least one of (a) encrypted broadcast multimedia program content, and (b) an encrypted authorization code or password.

Kostreski teaches a broadcast multimedia distribution system (Col. 1 lines 6-12 and Col. 3 line 66 - Col. 4 line 11) that includes a condition access

Art Unit: 2155

processor the determines authorization of broadcast sources (VIP - video information provider). This includes a decryption function to decrypt at least one of (a) encrypted broadcast multimedia program content, and (b) an encrypted authorization code or password (In Kostreski: Col. 21 lines 8-16 and Col. 25 lines 50-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Monteiro in view of Nelson and modify it as indicated by Kostreski such that it further comprises a conditional access processor to determine the authorization of multiple broadcast sources and, said conditional access processor includes a decryption function to decrypt at least one of (a) encrypted broadcast multimedia program content, and (b) an encrypted authorization code or password. One would be motivated to have this, as there is need for providing the advantages of the system to authorized broadcast sources for the benefit of those using the system (In Kostreski: Col. 26 lines 39-46 and Col. 3 lines 54-58).

Conclusion

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

43. U.S. Patent 6,349,329 by Mackintosh et al. "Coorddinating delivery of supplemental materials with radio broadcast material" February 19, 2002.

Discloses a broadcast material deliver architecture that provides supplemental information along with the original broadcast media. Original broadcast media

Art Unit: 2155

can be received and converted for internet deliver (i.e. broadcast radio to inter radio).

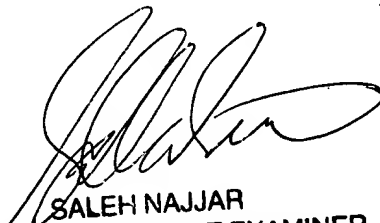
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David Lazaro
December 7, 2006



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER